

These minutes were approved 7.8.2021

## **MINUTES OF THE CONFERENCE CALL MEETING**

Board of Alcohol and Drug Counseling

April 8, 2021

### **1. ROLL CALL**

The meeting of the Board of Alcohol and Drug Counseling was called to order by Lori Cleveland, Chair, at 9:09 a.m., in the Lower Level B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 3.26.2021.

The following members answered roll call:

#### **Members Present (6):**

Brian Bierschenk, Member  
Christine Chasek, Member  
Lori Cleveland, Chair (in room)  
Jill Colegrove, Member  
Victor Gehrig, Member (in room)  
Mary Sneckenberg, Member

#### **Members Absent (2):**

Amy Eigenberg, Vice Chair  
Natasha Robinson, Member

#### **Staff and Others Present (7):**

Kris Chiles, Program Manager, Licensure Unit (in room)  
Susan Chocholousek, Health Licensing Specialist, Licensure Unit (in room)  
Mindy Lester, Assistant Attorney General (in room)  
Suzanna Glover-Ettrich, DHHS Attorney (in room)  
General Reporting Service (in room)  
Anna Harrison, Compliance Monitor, Licensure Unit (via phone)  
Trevor Klaasen, DHHS Investigations (via phone)

### **2. ADOPTION OF AGENDA**

**MOTION:** Sneckenberg moved, seconded by Gering, to approve the agenda. A voice vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

### **3. APPROVAL OF MINUTES**

**MOTION:** Robertson moved, seconded by Gehrig, to re-approve the minutes of 10.8.2020 due a correction in the listing of staff present at the meeting, Chiles was NOT present at the meeting. A voice vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

### **4. REINSTATEMENT APPEAL HEARING - Porter**

The hearing on reinstatement (probation/limitation offer) to practice as an alcohol and drug counselor, was convened at 9:12 a.m. Suzanna Glover-Ettrich, Department attorney, served as the hearing officer. The Department was represented by Mindy Lester, Assistant Attorney General, Mark Porter was represented by Leo Eskey, Kris Chiles, Program Manager with the Licensure Unit, and Mark Porter (applicant) were witnesses. Exhibits were entered and accepted. Evidence was presented and testimonies were provided.

10:01 a.m.      Public hearing ended

**MOTION:** Chasek moved, seconded by Gehrig, to enter into closed session at 10:04 a.m. for the purpose of deliberation of the public hearing discussions. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

10:04 a.m. Porter, Eskey, Chiles, Lester, Klaasen, and General Reporting exited the room; Harrison exited the call  
10:15 a.m. Board members agreed to return to open session  
10:15 a.m. Porter, Eskey, Chiles, Lester, and General Reporting entered the room

Mark Porter, LADC – Reinstatement

**MOTION:** Colegrove moved, seconded by Bierschenk to affirm the Board's recommendation of a 5 year probationary/limited reinstated license as offered in December 2020. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

10:21 a.m. Meeting Break  
10:21 a.m. Eskey, Porter, Chocholousek, exited the room  
10:37 a.m. Glover-Ettrich and General Reporting exited the room  
10:37 a.m. Mark Meyerson, DHHS Investigations entered the call

## **5. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION**

### **CLOSED SESSION**

**MOTION:** Gehrig moved, seconded by Sneckenberg, to enter into closed session at 10:37 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Cleveland repeated the motion purpose. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

10:44 a.m. Colegrove exited the call – conflict of interest  
10:50 a.m. Colegrove entered the call  
10:53 a.m. Meyerson and Klaasen exited the call

11:41 a.m. After Board Member agreement, Cleveland stated the meeting is now in open session

## **6. REVIEW, RECOMMENDATIONS AND REPORT OUT**

### **OPEN SESSION: Applications, Summary of Mail Ballot Votes and Reinstatements**

Applications with convictions

#### **Morghan Price, PLADC Applicant**

**MOTION:** Colegrove moved, seconded by Sneckenberg, to recommend issuing the license with no terms or conditions. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

#### **Autumn Titus, PLADC Applicant**

**MOTION:** Colegrove moved, seconded by Gehrig, to recommend a 2-year probationary license with the following terms/conditions: abstain from alcohol and controlled substances, random body fluid screens, comply with all treatment recommendations made by treatment provider and those in the future, and standard terms and conditions of probation. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

**Sandra Pasco-Armstrong, PLADC Applicant**

**MOTION:** Gehrig moved, seconded by Sneckenberg, to recommend issuing the license with no terms or conditions. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

Reinstatements

**Frank Bailey, LADC Reinstatement after expiration**

**MOTION:** Gehrig moved, seconded by Bierschenk, to recommend reinstating the license with no terms or conditions, and recommended the Department assess the appropriate administrative penalty fee. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

**Kathy Carr, LADC Reinstatement after CDAC Revocation**

**MOTION:** Colegrove moved, seconded by Bierschenk, to recommend deferring the application review and requested additional information. A roll call vote was taken. Voting aye: Bierschenk, Chasek, Cleveland, Colegrove, Gehrig, Sneckenberg (6). Voting nay: None (0). Absent: Eigenberg, Robinson (2). Motion carried.

**7. UPDATES REPORTS**

- a. COVID 19: Executive Orders and FAQ's <https://dhhs.ne.gov/Pages/COVID-19-Nebraska-Guidance-Documents.aspx>

Chiles reported that updated information relating to the current State of Emergency, Executive Orders, and Directed Health Measures can be viewed on the website.

**b. 172 NAC 15 and 16 Status**

Re-Approved by the Board of Health and submitted to the Attorney General's office for final review.

**c. Discussion Relating to Developing a Jurisprudence Examination**

Discussion deferred

**d. Justice Behavioral Health Committee Report**

Discussion deferred

**e. International Certification & Reciprocity Consortium (IC&RC) <https://internationalcredentialing.org>**

Robinson was not present to provide an update.

**f. Reports: Disciplinary and Non-Disciplinary Actions, License Statistics, Examination Statistics, and Administrative Fees:**

Report dates: 1.1.2021 to 4.8.2021

Active License Stats: 731 ADC  
419 PLADC

Examination Stats: 15 passed IC&RC examination  
0 failed

Disciplinary and Non-Disciplinary Actions: 2 probation  
1 Non-disciplinary Assurance of Compliance

**8. ADJOURNMENT**

Cleveland noted that the October meeting is changed to October 14 and advised that the next meeting will be in July 8; there being no further business to discuss she declared the meeting adjourned at 11:56 a.m.

Submitted by:

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Lori Cleveland, Chair  
Board of Alcohol and Drug Counseling

Summarized by:  
Kris Chiles, Program Manager, Licensure Unit